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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ARIZONA
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12 ART MARKETING GROUP, et. al.,) No. CV 04-2764 PHX RCB
13 Plaintiffs,) O R D E R
14 vs.)
15 POOR & CO., et. al.,)
16 Defendants.)
17 _____)

18 On December 6, 2004, Plaintiffs filed a complaint against
19 Defendants alleging violations of the Sherman Act, the Robinson-
20 Patman Act and the Clayton Act as well as asserting claims for
21 unfair competition, interference with contract and business
22 expectancy, conversion and breach of contract. Compl. (doc. # 1).
23 On March 21, 2005, the Court referred Counts 7 through 11 of
24 Plaintiff's Complaint (doc. # 1) to arbitration pursuant to the
25 terms of the parties' May 28, 2004 agreement, and stayed the action
26 pending arbitration. Order (doc. # 23). On April 25, 2006, the
27 Court denied Plaintiff's motions to reassume jurisdiction and stay
28 the arbitration hearing (doc. ## 25, 26). Order (doc. # 31).

1 The arbitration having now been concluded, see Notice (doc. #
2 32), the stay entered on March 21, 2005 will be lifted. In
3 addition to Counts 1 through 6, which had been stayed but not
4 submitted to arbitration, the Court will reassume jurisdiction over
5 Counts 10 and 11 to the extent that the claims asserted therein
6 were not resolved on their merits at arbitration. Specifically,
7 the Court will reassume jurisdiction over (1) the portion of Count
8 10 dealing with Plaintiffs' "claims of conversion of . . .
9 [Plaintiffs'] intellectual property in connection with [Defendant]
10 LifeFormations' initial contacts with Mr. Yaker and Galerie
11 Michelangelo," see Notice (doc. # 32), Ex. A at 3, and (2) the
12 portion of Count 11 dealing with Plaintiffs' breach of oral
13 contract claim for "lost profits due to LifeFormations' sale of
14 three pieces to Galerie Michelangelo before May 28, 2004, i.e.,
15 during the period of time covered by the parties' unwritten
16 business arrangement," see id. at 7.

17 **IT IS THEREFORE ORDERED** that the stay entered on March 21,
18 2005 is lifted.

19 IT IS FURTHER ORDERED that counsel shall have fifteen days
20 from the date of entry of this order to submit proposed scheduling
21 orders.

22 DATED this 1st day of August, 2006.

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26 Robert C. Broomfield
27 Senior United States District Judge

28 Copies to counsel of record